

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Pacific Gas and Electric Company (U 39 E) for a Certificate of Public Convenience and Necessity Authorizing the Construction of the Jefferson-Martin 230 kV Transmission Project.

Application 02-09-043
(Filed September 30, 2002)

**ADMINISTRATIVE LAW JUDGE'S RULING
SETTING ASIDE SUBMISSION AND
REQUIRING ADDITIONAL INFORMATION**

I would like the record in this proceeding to contain more information regarding the proposal of Pacific Gas and Electric Company (PG&E) to construct the Jefferson-Martin 230 kV transmission line along the Bay Area Rapid Transit (BART) right of way. To that end, I set aside submission of Application (A.) 02-09-043 and instruct PG&E to file a document containing the following information:

1. For each building identified in Exhibit 13, Attachment 205, pages C-35 through C-39 as receiving a magnetic field of 3.0 milligauss or more during medium load conditions (eight buildings), provide the address of the building and its use, identifying each building by the magnetic field level during medium load conditions specified in Attachment 205. For each such building other than private single-family or multi-family residences, provide the name(s) of its occupants as indicated on signage at the property location.
2. Provide the depth to which PG&E would be allowed to dig the trench along the BART right of way. If the allowable depth varies, specify such variation and in particular the allowable

- depth at each of the properties identified in Item 1. If the allowable depth is at least 15 feet, it is sufficient to state that rather than provide a specific maximum allowable depth.
3. Provide the modeling assumptions in Attachment 205 regarding placement of the trench within the BART right of way, e.g., whether it was assumed to be in the middle of the BART right of way.
 4. Provide the width of the BART right of way within which PG&E would be allowed to dig the trench. If the allowable width varies, specify such variation and in particular the allowable width at each of the properties identified in Item 1 above. Does the center of the allowable width coincide with the placement of the trench assumed in Attachment 205? If not, explain the relationship between the allowable width and the modeling assumption. In particular, specify the extent to which the trench could be placed further from the buildings identified in Item 1 than assumed in Attachment 205.

The parties received advance electronic notice of this ruling.

IT IS RULED that:

1. The submission of the record in Application (A.) 02-09-043 is set aside and the proceeding is reopened to allow receipt of the information requested in this ruling.
2. Pacific Gas and Electric Company (PG&E) shall file a document containing the information requested in this ruling no later than May 25, 2004.
3. Parties may file any objections to the receipt into evidence of the filed information no later than June 1, 2004.
4. While documents must be filed with the Docket Office in paper form, all documents filed pursuant to this ruling shall be served in electronic form, pursuant to Rule 2.3(b) of the Commission's Rules of Practice and Procedure. Paper format copies shall be served on the Assigned Commissioner, the assigned

Administrative Law Judge, anyone on the Appearances and State Service portions of the service list who does not have a valid e-mail address, and any other party who requests paper format service. The parties shall e-mail courtesy copies to the entire service list, including those appearing on the list as “Information Only.”

Dated May 19, 2004, at San Francisco, California.

/s/ CHARLOTTE F. TERKEURST

Charlotte F. TerKeurst
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Setting Aside Submission and Requiring Additional Information on all parties of record in this proceeding or their attorneys of record.

Dated May 19, 2004, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.